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SANTE OR WINE OF REALTH.

EXHILERATING VALUABLE ANTIDOTE FOR SEA SICKNESS! Hawaiian Gazette. WEDNESDAY, JULY 5, 1882.

spreme Court of the Hawaiian Islands. July Term, 1882. Irens B vs. Knasalesca, st., et. al.

Now to maintain the defendants right in the remises against the right of the patentee here must be a showing of a distinctly ad-cerse, exclusive and hostile possession for

scription, survey and content are included in a award, as He Lot Koele at Hanapouli of

to chains in extent.

The inference that Harbottle did not claim any larger rights than those he received—and that he did not from that time hold adversely any other land than that he applied for and reived the award of, is in itself conclusive against the defendants, unless they shall show clearly that there was such adverse holding for the time required by statute. The defendants ancestors in 1856 acquired

the fille to the Kuleanas of Kaholohana, de-consed, one of which is described as an Iliaina of Hanapouli, at Waipio, containing 2 3-10 es, the other as a purse let on the back of apoult, containing 27-100 acre. Thus by team holdings in the undst of the premises defendants had a position on the land, and ight to certain pieces of it, namely, what d been awarded as Kulcanas. The testi-ny as to their assertion of ownership out-

ide of these pieces, until a recent time, is necrtain and conflicting. The testimony of Haupu, the first witness or defendants, is to the effect that the houses re on the Kulcanas and the cultivation upon me, except perhaps the portion lately leased defendants to Chinamen. But he says that them, except perhaps the portion lately lessed by defendants to Chinamen. But he says that lefendants at some time cultivated pointees, alabashes etc., in the ravine. This may have seen outside of the Kulsana limits, but in rague as to the extent and the date. It was not the extent and the date. It was not the extent and the date. It was not perhaps the extent and the date in the lava of Kilanea may boil more and more furiously, as it becames less and less exposed to the external atmosphere.

The pool of liquid lava broken up, its pool of liquid lava broken up, its most control, where the amount of challitor visible at any particular time and in any particular

cause it was not inneed, and gives to distinct testimony of a possession by the defendants.

Holskona lived at Hampauli from 1833 to 1802 and has since visited there, owning a small Kuleana in Hampouli. He gives no evidence of an occupation of this land as is now claimed outside of the Kuleanas.

Keiba, says that the defendants occupied the Kule and have to the claim. he Kula land back to the cliffs.

ismas grown on Hanapouli and not on th

Kuleanas.

Kuleanas. lived on their Kuleanas, and their cultivation was on their Kuleanas. He says that It planted the land now claimed with corn and water molons, witness helping him. He says ini who had made some claims under defend cipi who had made some claims under colemant, worked under II after a certain settlement refere the Pistrict Judge, Kahalesahu.

Witness was present at the survey of the and for claims. Wm. Harbottle had only a we patches in upper land surveyed. If was lso present. Harbottle claimed that the King are him the fishery and II said he would bint out his fishery, and sent a man who aded in the water along the line of it. This stimony I shall refer to when discussing the

fishery rights.
This witness says that he used the beach of these premises as a landing when fishing out-side for li. That he has not known of any on ultivating this land adversely to II till the binamen secently. All the cultivation was nider II. The stock on the land belonged to I and to natives who did Poalims work for Witness had planted cane on this land hares with Ii.

Or entres with II.

Upon the whole testimony relating to the dry land I find for the plaintifia, the holders of the title. The defendants testimony does not support such an alterne possession as upon the principles now frequently enunciated in this court establish a prescriptive right in the defendant.

(2) In regard to the Making rights, the testi-neny of the plaintiff's witnesses as well as the defendants shows that Harbottle had some rights in a fishery appurisant to his grant, and greater than those of common Kuleana holders and tenants of the Konohiki. I have above cited a passage of testimony showing that this right was concoded by John II the holder of the Abapuaa of Waipio. This right may be supposed to have arisen from the fact that the claim and award to Harbottle was for an III Ains, as distinguished from a mere Kuleans, or a lot which the claimant had occurred or cultivated. The assignment has the ied or cultivated. The assignment by the ting of an Hi Aina carried with it appurte int rights, not subservient to the Konohiki he Abupuaa. Kamai, a witness for plainti

says the fishery was a left of Hanapouli.

There is some conflict of testimony as to the extent of the water premises, although all agree that it was not a deep water fishery. A mac could wade along the outer boundary. The original survey and plot made by Kev. A. Bishop, who surveyed this branch of Pearly water as the Kai or water symptomics. Waipie, for feare It is before me. It bears a note by the Secretary of the Land Commission, J. L. Nailliid dated March 28th, 1855, to the effect that the land commission declines to

effect that the land commission declines to award the water rights by metes and bounds, loaving them to be determined by the general law. On this map is a line drawn from a point near Loko Eo, and running to a point near Lackopu, where it intersects the line which divides the Kai of Waipio from the Kai of Waiawa, and in Mr. Bishop's handwriting the words Kai of Hanapouli.

The testimony is that Mr. Ii and Harbottle were on the ground with Mr. Bishop, that there was a discussion as to the fishery belonging to Harbottle, and that II pointed out a line

there was a discussion as to the fishery belong-ing to Harbottle, and that II pointed out a line running as this designates, which was appar-ently accepted by Harbottle, and the survey made accordingly. This is the most definite determination which the testimony allows, and I therefore find for the defendants the right of fishing within these limits. The point of beginning is termed Nenebopu Halau-lani, and is described as two chains from the makake of Eo, and runs to the point outside of Luchopu as designated on Mr. Bishop's plot. Hepworth's Centrifu-

I give nominal damages to the plaintiffs of five dollars, coats to be divided. HONOZULU, May 17th, 1882. S. B. Dole for the plaintiffs, F. Hatch for the

What is Kilauca, described scientifically nd accurately? What is its relation Manna Loa? Are Kilauca and Manna Loa no volcano with two vents, or two distinc canos? What is Kilanes's true place in the general volcanic system of earth-or wha is it, that, as a volcano, and compared with leanes, Kilanes is now doing ? i-These are questions which every thoughtfu isitor to this Hawaiian wonder inevitably aks, if not sudibly, at least silently, and with espect of which, provisional and hypothetical answers, such as the present paper suggests.

may be of some belp towards determining the Kilages and Mauna Loa are not one but

lava beneath Kilanea and Manua Los respectively, and the laboratories generating the melted material, are not one and the same :-A F. Judd and S. B. Dob, Guardians of for although Kilauen and Mauna Los are BROY, Grain and Mixed Feed

BEFORE NCULLY, J., TERTS WATTER.

BATTER.

BATT indeed one, in that they are both in the sam placed on it, would transform Kilausa into Stremboli, continually relieving itself, by the issuance of gas and vapor, while the sup-

there must be a showing of a distinctly adverse, exclusive and hostile possession for twenty years.

The first circumstance to be considered is, how it was that Harbottle should not have taken out an award for these premises if they had been assigned him by the King. He did take an award for the small piece called the Haina of Hanapouli. The inference is that he secured all that belonged to him. If he had had the same claim to the 235 acres here in question why should he not have taken an award for it. The award to Wm. Harbottle recites that he claims his linam of Hanapouli which he had received from his father John Harbottle, who had derived it from Kamehanda I. This was awarded to him and the description, survey and content are included in form, to other volcance of gas and vapor, while the super incumbence upon it of a suitable area of country, would transform tion a building in the sum of the super incumbence upon it of a suitable area of country, would transform tide of country, would transform tidence in the country, would transform tidence upon it of a suitable area of country, would transform tidence upon it of a suitable area of country, would transform tidence upon it of a suitable area of country, would transform tidence upon it of a suitable area of country, would transform tidence upon it of a suitable area of country, would transform tidence upon it of a suitable area of country, would transform tidence upon it of a suitable area of country, would transform tidence upon it of a suitable area of country, would transform tidence upon it of calling the country, would transform the country, would transform tidence upon it of calling the country, would transform the country, would transfo up continues, Kilauca will become like, in
form, to other volumes of earth.
It consists (Kilauca does) at present, of
two molten lakes, the surfaces of which, at

regular intervals, cool and crust over, and just as regularly break up and become liquid again: an hour and a haif being, at the date referred to, (14th and 15th June, 1582), the exact time required for the cycle of change to simplete its round.

An increase of interior heat as compared

with the exterior cold, or of exterior celd as compared with the interior heat, would robably increase the number of periodic sunds occurring within any given time, and sesen the amount of time required for each sund. Indeed by this, that, and the other possible variation in the conditions, ther might be effected at Kilanes, almost endles variations of the phenomena visible there. So that Kilauca is just now active, pary tee, for a few minutes, every hour and a half; while for the greater portion of every hour and a half, it is rather quiescent. An increase of the interior heat or a diminution of the plane superficies of the lake, so that the interior heat would have a smaller area of molten material to keep in obulition, would

in the reign of Kamehameha III, who died in 1851.

Now says there were disputes about rights of fishery, says her thinks defendants did not get award for lower Hanapouli because they nuglected to go after it. Says there was no cultivation on the lower part when he was at the place. He grew up to this place and was there till 1863.

Kipi, an interested witness for defendants tostifies that It's cattle ran over this land because that It's cattle ran over this land because that It's cattle ran over this land because it was not fenced, and gives no distinct testimony of a possession by the defendants.

Holokona lived at Hanapouli. He gives no syidence of an occupation of this land as is small Kuleana in Hanapouli. He gives no syidence of an occupation of this land as is no colleged carriefle of the Kuleana is

stretched out us to keep the water below it.
So that the weight of rock-covering resting
out the surface of the fiery mass, and the upward pressure of gas prevented from escaping Handwitten, the principal defendant says by this same rock-covering, induce in that she received tribute of sugar-cane and process of time, a condition of extreme that she received tribute of sugar-cane and process of time, a condition the restriction of extreme that she received tribute of sugar-cane and process of time, a condition the restriction of extreme of the lake, despite its heaviness, is uplif igher than it was a short time ago At length however, as it must inevitable

the stony covering gives way. Adjoining permanent vent hole, at the edge of the lakept open by upward pressure, and for relief of the lake as a whole, a piece coating of rock, unsupported on one edge loosened by the ebulition going on along and beneath it, backs off and tumbles in and beneath it, tacks on and tamilies in, t air and gas it takes down with it into the fic mass below, producing a violent flopping, in hage bubbles, they roll upward through t scalding yeast below. Then another piece the steacy coating does the same, and the another and another. Presently it is discover that the same process has begun and is got that the same process has begun and is goin on at several points here and there upon the lake at once, and in a few minutes it is hurl-burly from center to circumference. It is the regular breaking up of the lake, whice occurs every ninety minutes, and is a volcani eruption in miniature. For Manna Lo breaks out into cruption, when, and only whe the rocky mass above becomes too heavy f the reservoir of melted lava beneath to be the weight of it, and the pressure of gas u ward becomes too intense any longer to conta ward becomes too intense any longer to contain itself; and Halemanman, (Kilanea), breaks up when, and only when, the recky coating on it becomes too heavy for the liquid lake below to hold if up; and the pressure of heat beneath too great for the rocky covering above to hold it down.

The operation and collision of antagonistic

rccs, results, always and everywhere it rises. A volcanic gruption is a crisis, resulting from a collision of the antagonistic force of subterranean less and skiey cold, while rain-fall is a crisis resulting from a collisi of the antagonistic forces of solar heat a skipy cold. Evaporation goes on and on; t it length, the saturation point is reached, a

lown comes the rain with a rush and equil frium is restored.

And in just the same way, out and up go the liquid lava:—the result of the slow and s lent accumulation of pressure, that has bee going on for years.— Fib-P. BAKERI. Hile, Hawaii, June 20th, 1882.

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